

TOWNSEND and TOWNSEND and CREW LLP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert Degen et al.

Application No.: 10/091,000

Filed: March 4, 2002

For: Money Transfer Evaluation
Systems And Methods

Customer No.: 20350

Confirmation No.: 6763

Examiner: Cristina O. Sherr

Art Unit: 3621

APPELLANTS' BRIEF
UNDER 37 C.F.R. § 41.37

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Notice of Appeal mailed on March 12, 2007, for the above-referenced application, Appellants submit this Brief on Appeal.

1. Real Party In Interest

The Western Union Company of Englewood, Colorado, is the real party in interest as the assignee of the above-identified application.

2. Related Appeals And Interferences

No other appeals or interferences are known that will directly affect, are directly affected by, or have a bearing on the Board decision in this appeal.

3. Status Of Claims

Claims 1-4, 6-14, 16-19 and 21-27 are currently pending in the application. All pending claims stand finally rejected pursuant to a final Office Action mailed December 15, 2006. The rejection of claims 1-4, 6-14, 16-19 and 21-27 is believed to be improper and is the subject of this appeal. The claims as rejected are attached as Appendix A.

Claims 1-4, 6-14, 16-19 and 21-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0135457 to Stewart et al. ("Stewart").

4. Status Of Amendments

The claims have been amended three times in this case. An Amendment was filed on August 29, 2005, in response to a non-final Office Action mailed July 26, 2005. An Amendment was filed on January 3, 2006, in response to a non-final Office Action mailed October 21, 2005. An Amendment was filed on September 22, 2006, in response to a non-final Office Action mailed July 24, 2006. No amendments have been entered subsequent to the final Office Action mailed December 15, 2006. This Appeal Brief is filed in response to the final Office Action.

5. Summary Of Claimed Subject Matter

In the following summary, Appellants have provided exemplary references to sections of the specification and drawings supporting the subject matter defined in the claims as required by 37 C.F.R. § 41.37. The specification and drawings also include additional support for other exemplary embodiments encompassed by the claimed subject matter. Thus, it should be appreciated that the references are intended to be illustrative in nature only.

The invention generally relates to technology for evaluating value transfers for suspect activities, such as, terrorist activities, money laundering, and the like. Application, page 2, lines 7-8. The various embodiments of the invention include receiving money transfers (Id. at page 2, lines 22-23) and grouping money transfers into groups based on similarities between

sender identification and receiver identification. Id. at page 2, lines 15-16. Money transfers within groups are analyzed for suspect activity. Id. at page 2, lines 25-27.

The embodiment of claim 1 relates to a method for evaluating electronic value transfers. Id. at page 2, lines 6-7, and FIGS. 7A and 7B. According to this embodiment, a plurality of money transfer requests are received. Id. at page 2, lines 22-23. The money transfer requests include a first money transfer request and a second money transfer request. Id. at page 2, lines 13-17. The first money transfer request is associated with a first sender identification and the second money transfer request is associated with a second sender identification. Id. Records of the money transfer requests are electronically stored. Id. at page 2, line 23. An analysis is performed on the records that indicates whether the first sender identification and the second sender identification are related. Id. at page 2, lines 23-25. A reference designator is created. Id. at page 2, line 15, and FIGS. 5, 6 and 8. The reference designator is associated with the first sender identification and the second sender identification. Id. at page 2, lines 15-16. The reference designator is stored apart from the records of the money transfer requests. Id. at page 13, line 56, through page 14, line 3. The records of the money transfer requests are searched according to a specified criteria to determine if any of the money transfer requests associated with the reference designator are suspicious money transfer requests. Id. at page 2, lines 26-28. Suspicious money transfer requests are flagged. Id. at page 2, lines 28-29. The first sender identification may include a sender name, a sender number, an agent number, a sending data, a sending location, a sender phone number, a sending time, a sending message, or a sending amount. Id. at page 10, lines 20-32. The suspicious money transfer requests are selected from the following: (a) a transfer from a first sender to a second sender followed within a specified period by a transfer from the second sender to the first sender (Id. at page 2, lines 31-33); (b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level (Id. at page 2, lines 33-34); (c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level (Id. at page 2, line 34, through page 3, line 2); (d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level (Id. at page 3, lines 2-3); (e) two transfers from a first sender to a second sender

that are followed within a specified period by corresponding transfers from the second sender to a receiver (Id. at page 3, lines 3-5); (f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region (Id. at page 3, lines 5-7); and (g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region (Id. at page 3, lines 7-9).

The embodiment of claim 16 relates to a method for evaluating electronic value transfers. Id. at page 2, lines 6-7, page 3, lines 10-11, and FIGS. 7A and 7B. According to this embodiment, a money transfer record is accessed. Id. at page 2, lines 9-11, and page 3, line 11. The money transfer record includes a sender identification and a receiver identification. Id. at page 2, lines 23-25. A master location identifier is assigned to the money transfer record. Id. at page 3, lines 11-12. The master location identifier is determined by one or both of the sender identification and the receiver identification. Id. at page 16, lines 7-10. The money transfer record is compared to a reference designator using a specified criteria. Id. at page 3, lines 12-13. A relationship between the reference designator and the money transfer record is indicated by one or more fields of the reference designator or the money transfer record. Id. at page 3, lines 13-15. The money transfer record is associated with the reference designator. Id. at page 3, lines 15-16.

The embodiment of claim 17 relates to a method for iteratively compiling suspicious money transfer activities from money transfer records. Id. at page 3, lines 17-18. According to this embodiment, a first money transfer record is accessed (Id. at page 3, line 19) and a first reference designator is provided (Id. at page 3, line 19). This first reference designator is associated with one or more of a sender identification and a receiver identification from a second money transfer record. Id. at page 2, lines 13-17. The first money transfer record is compared to the first reference designator using a specified criteria. Id. at page 3, lines 20-21. The comparison indicates the first money transfer record is not related to the first reference designator. Id. at page 3, lines 21-22. A second reference designator is created that is associated with one or more of a sender identification and a receiver identification from the first money transfer record. Id. at page 3, lines 22-23. The first and second reference designators are

maintained in a reference designator list apart from the first and second money transfer records, reducing the performance impact upon a money transfer system under evaluation. Id. at page 23, lines 11-15. The reference designator list is analyzed for suspicious money transfer activities. Id. at page 6, lines 6-8. The suspicious money transfer requests are selected from the following: (a) a transfer from a first sender to a second sender followed within a specified period by a transfer from the second sender to the first sender (Id. at page 2, lines 31-33); (b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level (Id. at page 2, lines 33-34); (c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level (Id. at page 2, line 34, through page 3, line 2); (d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level (Id. at page 3, lines 2-3); (e) two transfers from a first sender to a second sender that are followed within a specified period by corresponding transfers from the second sender to a receiver (Id. at page 3, lines 3-5); (f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region (Id. at page 3, lines 5-7); and (g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region (Id. at page 3, lines 7-9).

The embodiment of claim 23 relates to a method for evaluating electronic value transfers. Id. at page 2, lines 6-7, and FIGS. 7A and 7B. According to this embodiment, money transfer requests are received (Id. at page 2, lines 22-23) that include a user identification associated with each of the money transfer requests. Id. at page 2, lines 13-17. The money transfer requests have also been grouped based on similarities between the user identifications. Records of the money transfer requests are electronically stored. Id. at page 2, line 23. The records of the money transfer requests are provided to a fraud processing computer. Id. at page 2, lines 12-13. An indication of a suspicious money transfer request is received that includes the user identification associated with the suspicious money transfer request. Id. at page 2, lines 26-29, and page 5, lines 25-29. The suspicious money transfer requests are selected from the following: (a) a transfer from a first sender to a second sender followed within a specified period

by a transfer from the second sender to the first sender (Id. at page 2, lines 31-33); (b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level (Id. at page 2, lines 33-34); (c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level (Id. at page 2, line 34, through page 3, line 2); (d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level (Id. at page 3, lines 2-3); (e) two transfers from a first sender to a second sender that are followed within a specified period by corresponding transfers from the second sender to a receiver (Id. at page 3, lines 3-5); (f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region (Id. at page 3, lines 5-7); and (g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region (Id. at page 3, lines 7-9).

The embodiment of claim 24 relates to a system for evaluating value transfers. Id. at page 2, lines 6-7, and FIGS. 7A and 7B. The system includes a fraud processing computer and a computer readable medium associated with the fraud processing computer. Id. at page 2, lines 12-13. The computer readable medium includes computer instructions executable by the fraud processing computer to access a first money transfer record. Id. at page 2, lines 13-15. The computer readable medium also includes computer instructions executable by the fraud processing computer to provide a first reference designator. Id. at page 2, lines 15-16. The first reference designator is associated with one or more of a sender identification and a receiver identification from a second money transfer record. Id. The computer readable medium also includes computer instructions executable by the fraud processing computer to compare the first money transfer record to the first reference designator using a specified criteria. Id. at page 2, lines 16-17 and 26-28. The comparison indicates that the first money transfer record is not related to the first reference designator. Id. at page 2, lines 17-18, and page 3, lines 21-23. The computer readable medium also includes computer instructions executable by the fraud processing computer to create a second reference designator. Id. at page 2, lines 18-20. The first reference designator is associated with one or more of a sender identification and a receiver

identification from the first money transfer record. *Id.* at page 3, lines 22-23. The first and second reference designators are maintained in a reference designator list apart from the first and second money transfer records, wherein a performance impact of the method upon a money transfer system under evaluation is reduced. *Id.* at page 23, lines 11-15.

6. Grounds Of Rejection To Be Reviewed On Appeal

Whether claims 1-4, 6-14, 16-19 and 21-27 were properly rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0135457 to Stewart (“Stewart”).

7. Argument

In order to establish a *prima facie* case of obviousness, the Office Action must establish: 1) some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine their teachings; 2) a reasonable expectation of success of such a modification or combination; and 3) a teaching or suggestion in the cited prior art of each claimed limitation. See MPEP § 706.02(j). The Appellants respectfully submit that a *prima facie* case of obviousness has not been established in rejecting these claims. More specifically, the cited reference fails to teach or suggest each and every claimed limitation.

Claim 1

With regard to claim 1, at a minimum, Stewart does not teach or suggest (a) creating or searching money transfer requests associated with a reference designator; (b) receiving a plurality of money transfer requests; (c) determining whether the first sender identification and the second sender identification are related; (d) any of the seven suspicious money transfers in claim 1; and (e) storing reference designators apart from money transfer requests.

Stewart is directed to providing “financial account services over the Internet and, particularly, to opening demand deposit accounts via the Internet.” ¶ [0002]. Stewart permits a

potential customer to apply for and open a deposit account through a financial institution's website. ¶ [0018]. During this process, the customer provides application data to the financial institution through the website. ¶ [0018]. Based on the data received from the customer, the system may evaluate the customer "to calculate the risk that an account will be closed for abuse at a later date." ¶ [0020]. Stewart also calculates "the cross sell opportunity for additional debit and/or credit products for a consumer." ¶ [0020]. To determine the risk associated with an account, the financial institution "checks customer data against restricted lists published by the United States Treasury Department Office of Foreign Assets Control (OFAC) to maintain OFAC compliance. This search includes enhanced name/foreign translation mapping to provide matching capabilities with low false-positive responses." ¶ [0021].

In conjunction with the application process and the ensuing risk determinations, Stewart also includes a neural-network fraud identification system "that predicts the likelihood of identity manipulation or fraud." ¶ [0042]. This system "uses customer data to provide a score on a customer inquiry that indicates the fraud risk level involved with doing business with the customer." ¶ [0042]. Moreover, "[t]he fraud identification system also provides identity manipulation and predictive fraud modeling, and helps to identify inconsistent, inaccurate, and fraudulent information provided by the customer. The fraud identification system also has the ability to provide fraud attributes on a real-time basis." ¶ [0042].

a) Stewart Does Not Teach Or Suggest Creating Or Searching Money Transfer Requests Associated With A Reference Designator

What is missing from the fraud identification system, or any other system disclosed by Stewart, is "creating a reference designator" and searching the money transfer requests associated with a reference designator. A reference designator, as claimed in independent claim 1, is created in association with a first sender identification and a second sender identification and is stored apart from the records of the money transfer request. As claimed in independent claim 1, there are at least two general categories of steps involving reference designators: first, the creation of a reference designator based on the association of two separate sender identifications, namely, a first sender identification and a second sender

identification; and second, a search of money transfer requests associated with reference designators.

While Stewart performs a number of fraud tests, these fraud tests do not include the two categories of steps discussed above. Rather, these fraud tests are performed on each and every transaction. Stewart does not prescreen data using reference designators and then perform fraud tests only on the data assigned a reference designator. Rather than perform fraud detection on a limited data set assigned to a reference designator, Stewart must perform fraud detection on a complete data set. Indeed, Stewart is silent on teaching reference designators or other money transfer request grouping schemes. Moreover, Stewart does not teach or suggest performing searches only on money transfer requests associated with a reference designator or on any subset of the money transfer requests.

The Office Action dated December 15, 2006, asserts that ¶ [0021] of Stewart discloses these two general categories of steps dealing with reference designators. Paragraph [0021] states as follows.

[0021] An automated search routine within the authorization system 60 also checks customer data against restricted lists published by the United States Treasury Department Office of Foreign Assets Control (OFAC) to maintain OFAC compliance. This search includes enhanced name/foreign translation mapping to provide matching capabilities with low false-positive responses.

The Office Action notes that “[i]t is obvious that in checking against a list, kept by the United States Treasury Department, you are lining up certain transactions with certain ‘names’ or other information on the list.” Thus, such a system would receive a money transfer request and compare the names associated with the money transfer request with the list of names maintained by OFAC. Claim 1, however, compares a first sender identification with a second sender identification. This comparison does not require use of a list or lists. Instead, claim 1 compares sender identification from two money transfer requests. Stewart simply does not compare a first sender identification with a second sender identification.

**b) Stewart Does Not Teach Or Suggest Receiving
A Plurality Of Money Transfer Requests**

Claim 1 includes “receiving a plurality of money transfer requests.” The claimed system associates a reference designator to related money transfer requests and then searches the money transfer requests associated with reference designators for suspicious money transfers. Receiving a plurality of money transfer requests is critical to the embodiment claimed in claim 1. A plurality of money transfer requests are required in order to compare one money transfer request with another to determine whether the two money transfer requests are related. It would be impossible to determine if a relationship exists between money transfer requests when there is only a single money transfer request.

Stewart does not teach receiving a plurality of money transfer requests. First, Stewart discloses receiving a single application for a deposit account. An application for an account is not the same as a money transfer request; it does not facilitate the transfer of funds from a sender to a receiver. Second, Stewart does not discuss receiving a plurality of money transfer requests, let alone a plurality of applications for deposit accounts. While a plurality of applications may be received for a plurality of consumers, it is not necessary. Stewart does not compare one application with another. Rather, Stewart determines fraud and/or risk based on a single application. These determinations do not require a plurality of applications as is required in claim 1.

**c) Stewart Does Not Teach Determining Whether The First Sender
Identification And The Second Sender Identification Are Related**

The Office Action fails to note whether the first and second sender identifications are associated with a reference designator. Rather, the Office Action asserts, without justification, that it would be obvious to line up names with certain other names on a list. It appears that the Office Action further asserts that if a single transaction name is matched with a name on the OFAC list, then those transactions associated with a matching name are analyzed: “every transaction is analyzed to the point of deciding whether is ‘clicks’ with the first.” A system imagined by the Office Action would receive a single money transfer request and line up

a name from a single money transfer request with the names on lists maintained by OFAC. This, however, is not what is claimed. What is claimed is receiving a plurality of money transfer requests and creating a reference designator that is associated with a first sender identification and a second sender identification. Both the first sender identification and the second sender identification are from the plurality of money transfer requests. What is different is that in the Office Action, the “names” are matched with names on the list and then analyzed, whereas in claim 1, sender identifications (for example, a name) from two money transfer requests are associated with a reference designator. If, and only if, the sender identifiers are related, the money transfer requests associated with a reference designator are analyzed. There is simply nothing to suggest that a system as described in the Office Action in relation to Stewart includes associating two sender identifications (or even a sender name) with a single reference designator after receiving a plurality of reference designators.

**d) Stewart Does Not Teach Or Suggest Any Of The Seven
Suspicious Money Transfers Claimed In Claim 1**

Claim 1 also specifies that a suspicious money transfer request is one of the following seven money transfers.

- (a) a transfer from a first sender to a second sender followed within a specified period by a transfer from the second sender to the first sender;
- (b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level;
- (d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (e) two transfers from a first sender to a second sender that are followed within a specified period by corresponding transfers from the second sender to a receiver;
- (f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region; and

- (g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region.

The Office Actions fail to point to anything in Stewart that teaches these seven suspicious money transfers. Moreover, Stewart does not teach or suggest any of the above seven types of transfers, let alone categorizing transfers as suspicious. Stewart is directed towards procedures for opening an account for a consumer at a financial institution over the Internet and does not disclose money transfer requests. Stewart is silent on money transfer requests and, more specifically, Stewart is silent on the seven suspicious money transfer requests claimed in claim 1.

e) Stewart Does Not Teach Or Suggest Storing Reference Designators Apart From Money Transfer Requests

Moreover, Stewart does not store reference designators apart from money transfer requests as required by claim 1. Indeed, Stewart never discusses reference designators or any similar type of grouping. Moreover, because Stewart simply compares a name from an application for an account against a government list, no reference designators or the like are created. It would be impossible to store something that is never created, let alone storing it separately from application data.

Claims 2-4 And 6-14

Claims 2-4 and 6-14 each depend from independent claim 1. These claims are distinguishable from Stewart based on their dependency upon claim 1.

More specifically, with regard to claims 2-4, Stewart also does not perform a hierarchical comparison of the first sender identification and the second sender identification. As pointed out above, Stewart does not receive a plurality of money transfer requests and does not perform an analysis on such requests. Accordingly, it would be impossible to perform a hierarchical comparison on such money transfers when the money transfer requests do not exist and no analysis is ever performed.

With regard to claims 6-8, Stewart does not teach or suggest the use of reference designators, let alone identifying a reference designator as a known suspicious user.

With regard to claim 9, Stewart also does not parse money transfer requests. The application for a deposit account in Stewart is analyzed as a whole for risk and fraud. Nothing in Stewart suggests that the application is parsed of unnecessary data. Moreover, there is no need in Stewart to do so.

With regard to claims 10-12, Stewart does not teach or suggest receiver identifications. Because Stewart is limited to applications for deposit accounts, there is no need for a receiver identification. As such, none are taught or suggested by Stewart.

With regard to claims 13 and 14, Stewart does not teach or suggest reducing performance impacts by maintaining separate databases and/or using batch modes.

Claim 16

With regard to claim 16, Stewart does not teach or suggest at least (a) “accessing a money transfer record, wherein the money transfer record includes a sender identification and a receiver identification;” (b) “assigning a master location identifier to the money transfer record;” and (c) “associating the money transfer record with the reference designator.”

a) Stewart Does Not Teach Or Suggest Accessing A Money Transfer Record

As discussed above in association with claim 1, Stewart does not teach or suggest a money transfer request. Likewise, Stewart does not teach or suggest accessing a money transfer record. Indeed, Stewart does not discuss keeping records of money transfer requests or applications for deposit accounts.

Moreover, as discussed above with regard to claims 10-12, Stewart does not disclose receiver identifiers. *Supra*, page 12. Because Stewart is limited to applications for deposit accounts, there is no need for a receiver identification.

b) Stewart Does Not Teach Or Suggest Assigning A Master Location Identifier To The Money Transfer Record

Stewart is silent on master location identifier. There is no discussion or disclosure regarding the location of the user or the financial institution. Moreover, the master location identifier is determined based, in part, on the receiver identification, which is not taught or suggested by Stewart. The Office Action cites ¶ [0021] as teaching this element of the claim. However, the restricted lists discussed in the paragraph do not include location information. More importantly, the paragraph does not discuss assigning a master location identifier to a money transfer record (or application for deposit account record) based on these lists.

c) Stewart Does Not Teach Or Suggest Associating The Money Transfer Record With The Reference Designator

Stewart compares the name from an application for a deposit account with the names on government lists. Stewart does not disclose what happens if there is a match. It may be assumed that authorization for a deposit account fails if the name matches a name on the list. Regardless, if there is a match, the name or application for the deposit account is not associated with the list as required by the claim.

Claim 17

With regard to claim 17, at a minimum, Stewart does not teach or suggest (a) providing a first reference designator; (b) comparing the first money transfer record to the first reference designator; (c) creating a second reference designator; (d) maintaining the first and second reference designators in a reference designator list; and (e) any of the seven suspicious money transfers in claim 17.

a) Stewart Does Not Teach Or Suggest Providing A First Reference Designator

Stewart does not discuss providing a reference designator that is “associated with one or more of a sender identification and a receiver identification from a second money transfer record.” There is no discussion of reference designators in Stewart. Moreover, Stewart does not

discuss anything associated with a receiver identification from a second money transfer record or a record of an application for a deposit account.

b) Stewart Does Not Teach Or Suggest Comparing The First Money Transfer Record To The First Reference Designator

Because Stewart does not teach or suggest providing a reference designator, it would be impossible to make a comparison with a reference designator. Accordingly, Stewart does not teach or suggest comparing a first money transfer record to the first reference designator.

c) Stewart Does Not Teach Or Suggest Creating A Second Reference Designator

As discussed above with regard to claim 1, Stewart does not discuss creating reference designators. *Supra*, page 8. Moreover, as discussed with regard to claims 10-12, Stewart does not teach or suggest receiver identification from a money transfer record. *Supra*, page 12.

d) Stewart Does Not Teach Or Suggest Maintaining The First And Second Reference Designators In A Reference Designator List

Stewart does not teach or suggest reference designators or maintaining reference designators, let alone maintaining them separately. The only lists discussed in Stewart are those in relation to published government lists. Stewart, ¶ [0021]. These lists, however, are “published by the United States Treasury Department Office of Foreign Assets Control (OFAC) to maintain OFAC compliance.” *Id.* at ¶ [0021]. Stewart does not discuss maintaining these lists. Instead, these lists are maintained by OFAC.

e) Stewart Does Not Teach Or Suggest Any Of The Seven Suspicious Money Transfers Claimed In Claim 17

Claim 17 also specifies that a suspicious money transfer request is one of the following seven money transfers.

- (a) a transfer from a first sender to a second sender followed within a specified period by a transfer from the second sender to the first sender;
- (b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level;
- (d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (e) two transfers from a first sender to a second sender that are followed within a specified period by corresponding transfers from the second sender to a receiver;
- (f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region; and
- (g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region.

The Office Actions fail to point to anything in Stewart that teaches these seven suspicious money transfers. Moreover, Stewart does not teach or suggest any of the above seven types of transfers, let alone categorizing transfers as suspicious. Stewart is directed towards procedures for opening an account for a consumer at a financial institution over the Internet and does not disclose money transfer requests. Stewart is silent on money transfer requests and, more specifically, Stewart is silent on the seven suspicious money transfer requests claimed in claim 17.

Claims 18, 19, 21 And 22

Claims 18, 19, 21 and 22 depend from independent claim 1. These claims are distinguishable from Stewart at least based on their dependency on claim 17.

With regard to claim 18, as noted above, Stewart performs authorization and fraud tests on one application for deposit account at a time. *Supra*, page 10. Accordingly, Stewart does not access a third money transfer request. Moreover, also as noted above, Stewart does not

compare a third money transfer record to a first reference designator and then associate the third money transfer request with the first reference designator. *Supra*, page 14.

With regard to claim 19, Stewart does not teach or suggest attaching a time stamp to reference designators. Also, none of the Office Actions point to any portion of Stewart that teaches or suggests this element of claim 19.

With regard to claim 21, Stewart does not teach or suggest listing a progressive history of money transfer relationships. Indeed, Stewart is silent on relationships and histories, especially with regard to money transfers. Again, each of the Office Actions do not point to or discuss the specific limitations of claim 21. Rather, the Office Actions recite verbatim previous assertions that do not relate to the specific limitations in the claim.

With regard to claim 22, Stewart does not teach or suggest a hierarchical comparison. *Supra*, page 12.

Claim 23

With regard to claim 23, at a minimum, Stewart does not teach or suggest (a) grouping money transfer requests based on similarities between the user identifications; and (b) any of the seven suspicious money transfers claimed in claim 23.

a) Stewart Does Not Teach Or Suggest Grouping Money Transfer Requests Based On Similarities Between The User Identifications

Stewart does not group money transfer requests on any basis. Rather, Stewart receives an application for a deposit account and performs various authorization, fraud and risk analysis on individual applications. Stewart does not compare applications and does not group applications. There is nothing in Stewart that teaches or suggests grouping money transfer requests.

**b) Stewart Does Not Teach Or Suggest Any Of The Seven
Suspicious Money Transfers Claimed In Claim 23**

Claim 23 also specifies that a suspicious money transfer request is one of the following seven money transfers.

- (a) a transfer from a first sender to a second sender followed within a specified period by a transfer from the second sender to the first sender;
- (b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level;
- (d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (e) two transfers from a first sender to a second sender that are followed within a specified period by corresponding transfers from the second sender to a receiver;
- (f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region; and
- (g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region.

The Office Actions fail to point to anything in Stewart that teaches these seven suspicious money transfers. Moreover, Stewart does not teach or suggest any of the above seven types of transfers, let alone categorizing transfers as suspicious. Stewart is directed towards procedures for opening an account for a consumer at a financial institution over the Internet and does not disclose money transfer requests. Stewart is silent on money transfer requests and, more specifically, Stewart is silent on the seven suspicious money transfer requests claimed in claim 23.

Claim 24

With regard to claim 23, at a minimum, Stewart does not teach or suggest a system that (a) provides a first reference designator; (b) compares the first money transfer record to the first reference designator; (c) creates a second reference designator; and (d) maintains the first and second reference designators in a reference designator list.

a) Stewart Does Not Teach Or Suggest A System That Provides A First Reference Designator

Stewart does not teach or suggest a system providing a reference designator that is “associated with one or more of a sender identification and a receiver identification from a second money transfer record.” There is no discussion of reference designators in Stewart. Moreover, Stewart does not discuss anything associated with a receiver identification from a second money transfer record or a record of an application for a deposit account.

b) Stewart Does Not Teach Or Suggest Comparing The First Money Transfer Record To The First Reference Designator

Because Stewart does not teach or suggest a system that provides a reference designator, it would be impossible to make a comparison with such a reference designator. Accordingly, Stewart does not teach or suggest comparing a first money transfer record to the first reference designator.

c) Stewart Does Not Teach Or Suggest Creating A Second Reference Designator

As discussed above with regard to claim 1, Stewart does not create a reference designator. *Supra*, page 8. Moreover, as discussed with regard to claims 10-12, Stewart does not teach or suggest receiver identification from a money transfer record. *Supra*, page 12.

d) Stewart Does Not Teach Or Suggest Maintaining The First And Second Reference Designators In A Reference Designator List

Stewart does not teach or suggest reference designators or maintaining reference designators, let alone maintaining them separately. The only lists discussed in Stewart are those in relation to published government lists. Stewart, ¶ [0021]. These lists, however, are “published by the United States Treasury Department Office of Foreign Assets Control (OFAC) to maintain OFAC compliance.” *Id.* at ¶ [0021]. Stewart does not discuss maintaining these lists. Instead, these lists are maintained by OFAC.

Claims 25 And 26

Claims 25 and 26 depend from independent claim 24. These claims are distinguishable from Stewart at least based on their dependency on claim 24.

With regard to claim 25, as noted above, Stewart performs authorization and fraud tests on one application for deposit account at a time. *Supra*, page 10. Accordingly, Stewart does not access a third money transfer request. Moreover, also as noted above, Stewart does not compare a third money transfer record to a first reference designator and then associate the third money transfer request with the first reference designator. *Supra*, page 14.

With regard to claim 26, Stewart does not teach or suggest a database maintaining reference designators. As noted with regard to claim 24, the only database discussed in Stewart is the OFAC list. *Supra*, page 20.

Claim 27

With regard to claim 27, at a minimum, Stewart does not teach or suggest (a) a fraud processing server that clusters related money transfer records; and (b) any of the seven suspicious money transfers claimed in claim 23.

**a) Stewart Does Not Teach Or Suggest A Fraud Processing
Server That Clusters Related Money Transfer Records**

The fraud identification system disclosed in Stewart does not teach or suggest cluster related money transfer records. Instead, the fraud identification system “uses customer data to provide a score on a customer inquiry that indicates the fraud risk level involved with doing business with the customer.” Stewart, ¶ [0042]. Nothing is disclosed regarding clustering of related money transfer requests.

**b) Stewart Does Not Teach Or Suggest Any Of The Seven
Suspicious Money Transfers Claimed In Claim 27**

Claim 27 also specifies that a suspicious money transfer request is one of the following seven money transfers.

- (a) a transfer from a first sender to a second sender followed within a specified period by a transfer from the second sender to the first sender;
- (b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level;
- (d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (e) two transfers from a first sender to a second sender that are followed within a specified period by corresponding transfers from the second sender to a receiver;
- (f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region; and
- (g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region.

The Office Actions fail to point to anything in Stewart that teaches these seven suspicious money transfers. Moreover, Stewart does not teach or suggest any of the above seven types of transfers, let alone categorizing transfers as suspicious. Stewart is directed towards procedures for opening an account for a consumer at a financial institution over the Internet and does not disclose money transfer requests. Stewart is silent on money transfer requests and, more specifically, Stewart is silent on the seven suspicious money transfer requests claimed in claim 27.

8. Conclusion

For these reasons, it is respectfully submitted that the rejection should be reversed.

Respectfully submitted,

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9. Claims Appendix

1. (Previously Presented) A method for evaluating electronic value transfers, the method comprising:

receiving a plurality of money transfer requests, wherein the money transfer requests include a first sender identification associated with a first money transfer request and at least a second sender identification associated with a second money transfer request;

electronically storing records of the money transfer requests;

performing an analysis of the records, wherein the analysis indicates the first sender identification and the second sender identification are related;

creating a reference designator, wherein the reference designator is associated with the first sender identification and the second sender identification, and wherein the reference designator is stored apart from the records of the money transfer requests; and

searching the records of the money transfer requests according to a specified criteria to determine if any of the money transfer requests associated with the reference designator are suspicious money transfer requests;

flagging any suspicious money transfer requests;

wherein the first sender identification is selected from a group consisting of a sender name, a sender number, an agent number, a sending data, a sending location, a sender phone number, a sending time, a sending message, and a sending amount; and

wherein the suspicious money transfer requests are selected from a group consisting of;

(a) a transfer from a first sender to a second sender followed within a specified period by a transfer from the second sender to the first sender;

(b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level;

(c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level;

(d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level;

- (e) two transfers from a first sender to a second sender that are followed within a specified period by corresponding transfers from the second sender to a receiver;
- (f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region; and
- (g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region.

2. (Original) The method of claim 1, wherein the analysis comprises:
a hierarchical comparison of the first sender identification with the second sender identification.

3. (Original) The method of claim 2, wherein the hierarchical comparison comprises the sequential process:

- (1) comparing a phone number in the first sender identification with a phone number in the second sender identification;
- (2) comparing an exact name in the first sender identification with an exact name in the second sender identification; and
- (3) comparing a phonetic name in the first sender identification with a phonetic name in the second sender identification.

4. (Previously Presented) The method of claim 2, wherein the analysis further comprises:
an iterative learning of a reliable factor for identifying suspicious money transfer requests; and
updating the hierarchical comparison to incorporate the reliable factor.

5. (Canceled)

6. (Previously Presented) The method of claim 1, wherein the flagging any suspicious money transfer requests comprises identifying the reference designator as a known suspicious user, the method further comprising:

searching the records to determine if any of the money transfer requests are either initiated or received by the known suspicious user.

7. (Previously Presented) The method of claim 6, wherein the searching is done in real-time and wherein the known suspicious user is identified in real-time.

8. (Previously Presented) The method of claim 1, wherein the flagging any suspicious money transfer requests comprises identifying the reference designator as a known suspicious user, the method further comprising:

determining that transfers of a known suspicious user are legitimate, and identifying the known suspicious user as a known legitimate user, wherein monitoring of money transfers associated with the known legitimate user are reduced.

9. (Previously Presented) The method of claim 1, the method further comprising: parsing the money transfer requests, wherein the records of the money transfer requests are stripped of data that is not necessary to detecting suspicious money transfers.

10. (Original) The method of claim 1, wherein a first receiver identification is associated with the first money transfer request and a second receiver identification is associated with the second money transfer request, and wherein the analysis utilizes:

at least one of the first and second sender identifications; and
at least one of the first and second receiver identifications.

11. (Original) The method of claim 10, wherein the first receiver identification is selected from a group consisting of a receiver name, a receiver number, an agent number, a receiver data, a receiving location, a receiver phone number, a receiving time, a receiver language, a receiver message, and a receiving amount.

12. (Original) The method of claim 10, wherein the reference designator is further associated with one or both of the first receiver identification and the second receiver identification.

13. (Original) The method of claim 1, wherein the reference designator is maintained on a first database and the records are maintained on a second database, whereby a performance impact of the method upon a money transfer system under evaluation is reduced.

14. (Original) The method of claim 13, wherein the searching the records is done in a batch mode at an off-peak time for the money transfer system.

15. (Canceled)

16. (Original) A method for evaluating electronic value transfers, the method comprising:

- accessing a money transfer record, wherein the money transfer record includes a sender identification and a receiver identification;

- assigning a master location identifier to the money transfer record, wherein the master location identifier is determined by one or both of the sender identification and the receiver identification;

- comparing the money transfer record to a reference designator using a specified criteria, wherein one or more fields of the reference designator or the money transfer record indicate a relationship between the reference designator and the money transfer record; and

- associating the money transfer record with the reference designator.

17. (Previously Presented) A method for iteratively compiling suspicious money transfer activities from money transfer records, the method comprising:

- accessing a first money transfer record;

- providing a first reference designator, wherein the first reference designator is associated with one or more of a sender identification and a receiver identification from a second money transfer record;

comparing the first money transfer record to the first reference designator using a specified criteria, wherein the comparison indicates the first money transfer record is not related to the first reference designator; and

creating a second reference designator, wherein the second reference designator is associated with one or more of a sender identification and a receiver identification from the first money transfer record; and

maintaining the first and second reference designators in a reference designator list apart from the first and second money transfer records, wherein a performance impact of the method upon a money transfer system under evaluation is reduced,

analyzing the reference designator list for suspicious money transfer activities; wherein the suspicious money transfer activities are selected from a group consisting of;

(a) a transfer from a first sender to a second sender followed within a specified period by a transfer from the second sender to the first sender;

(b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level;

(c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level;

(d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level;

(e) two transfers from a first sender to a second sender that are followed within a specified period by corresponding transfers from the second sender to a receiver;

(f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region; and

(g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region.

18. (Original) The method of claim 17, the method further comprising:
accessing a third money transfer record;
comparing the third money transfer record to the first reference designator using the specified criteria, wherein one or more fields of the first reference designator or the third money transfer record indicate a relationship between the first reference designator and the third money transfer record; and
associating the third money transfer record with the first reference designator.
19. (Original) The method of claim 17, the method further comprising:
attaching a time stamp to the second reference designator, wherein the second reference designator expires at a future time associated with the time stamp.
20. (Canceled)
21. (Previously Presented) The method of claim 17, wherein the reference designator list is a progressive history of money transfer relationships.
22. (Original) The method of claim 17, wherein the specified criteria comprises a hierarchical comparison.
23. (Previously Presented) A method for evaluating electronic value transfers, the method comprising:
receiving money transfer requests, wherein the money transfer requests include a user identification associated each of the money transfer requests, and wherein the money transfer requests have been grouped based on similarities between the user identifications;
electronically storing records of the money transfer requests;
providing the records of the money transfer requests to a fraud processing computer; and
receiving an indication of a suspicious money transfer request, wherein the indication includes the user identification associated with the suspicious money transfer request;
wherein the suspicious money transfer request is selected from a group consisting of;

- (a) a transfer from a first sender to a second sender followed within a specified period by a transfer from the second sender to the first sender;
- (b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level;
- (d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (e) two transfers from a first sender to a second sender that are followed within a specified period by corresponding transfers from the second sender to a receiver;
- (f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region; and
- (g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region.

24. (Previously Presented) A system for evaluating value transfers, the system comprising:

- a fraud processing computer; and
- a computer readable medium associated with the fraud processing computer, wherein the computer readable medium comprises computer instructions executable by the fraud processing computer to:
 - access a first money transfer record;
 - provide a first reference designator, wherein the first reference designator is associated with one or more of a sender identification and a receiver identification from a second money transfer record;
 - compare the first money transfer record to the first reference designator using a specified criteria, wherein the comparison indicates the first money transfer record is not related to the first reference designator; and

create a second reference designator, wherein the first reference designator is associated with one or more of a sender identification and a receiver identification from the first money transfer record; and

maintaining the first and second reference designators in a reference designator list apart from the first and second money transfer records, wherein a performance impact of the method upon a money transfer system under evaluation is reduced.

25. (Original) The system of claim 24, wherein the computer instructions are further executable by the fraud processing computer to:

access a third money transfer record;

compare the third money transfer record to the first reference designator using a specified criteria, wherein one or more fields of the first reference designator or the third money transfer record indicate a relationship between the first reference designator and the third money transfer record; and

associate the third money transfer record with the first reference designator.

26. (Original) The system of claim 25, the system further comprising:
a database associated with the fraud processing computer, wherein the first and the second reference designators are maintained on the database.

27. (Previously Presented) A system for transferring value, the system comprising:
a money transfer system; and
a fraud processing server communicably coupled to the money transfer system, wherein money transfer records associated with the money transfer system are accessible by the fraud processing server in order to cluster related money transfer records separately from the money transfer records associated with the money transfer system, and in order to use the clustered records to identify any suspicious money transfer requests, wherein the suspicious money transfer requests are selected from a group consisting of:

(a) a transfer from a first sender to a second sender followed within a specified period by a transfer from the second sender to the first sender;

- (b) a group of transfers from a sender to a group of receivers, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (c) one or more transfers from a sender to a receiver, wherein the aggregate amount of the one or more transfers exceeds a specified level;
- (d) a group of transfers from a group of senders to a receiver, wherein the aggregate amount of the group of transfers exceeds a specified level;
- (e) two transfers from a first sender to a second sender that are followed within a specified period by corresponding transfers from the second sender to a receiver;
- (f) two or more transfers from a sender to a receiver, wherein the two or more transfers are initiated from two or more distinct locations within a region; and
- (g) two or more transfers from a sender to a receiver, wherein the two or more transfers are received at two or more distinct locations within a region.

10. Evidence Appendix

None.

11. Related Proceedings Appendix

None.